

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

IN RE:

**RICHARD EDMUND SURGENT,

Debtor.**

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Case No. 03-80806-G3-7

**ROBBYE R. WALDRON, TRUSTEE

Plaintiff,**

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v.

Adversary Proceeding No., 07.-8003

**U.S. AMERICAN RESOURCES, INC.
AND JOHN D. OWEN,

Defendants.**

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AGREED MOTION TO ATTEND HEARING VIA TELEPHONE

This Motion seeks permission for Defendant U.S. American Resources, Inc. and John Owen's counsel, Steven R. Shaver, to attend the Trustee's Emergency Motion for Civil Contempt scheduled for 2 p.m. today via telephone appearance.

The Contempt Motion has been resolved by agreement, after 6 p.m. last night, in an order entitled Preliminary Injunction and Order; the presentation of this Order for approval to the Court is now the only purpose of the hearing. Defendant's counsel office is in Dallas, Texas and would show that the hearing will likely be very brief and will not require the presentation of any evidence. Based on these grounds, and the agreement of the Trustee's counsel, Defendants request that their counsel be allowed to attend via telephone.

Accordingly, Defendants U.S. American Resources, Inc. and John Owen request that their counsel be allowed to attend the Contempt hearing by way of telephone.

Respectfully submitted,

FRIEDMAN & FEIGER, L.L.P.

By: 

Lawrence J. Friedman
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ATTORNEY FOR DEFENDANTS
U.S. AMERICAN RESOURCES,
INC. AND JOHN OWEN

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above was served on all counsel of record, via hand-delivery, in accordance with the Texas Rules of Civil Procedure on the April 12, 2007.



Steven R. Shaver

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ORDER

The Court has considered Defendants U.S. American Resources, Inc. and John Owen's **AGREED MOTION TO ATTEND HEARING VIA TELEPHONE** and it is GRANTED.

Signed this _____ day of _____, 2007.

The Honorable Letitia Z. Clark,
UNITED STATES BANKRUPTCY JUDGE

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